

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSE PAREJA, *et al.*,

Plaintiff,

-v-

FOOD CORP., *et al.*,

Defendant.

18-CV-5887 (JPO)

ORDER ADOPTING REPORT AND
RECOMMENDATION

J. PAUL OETKEN, District Judge:

On July 22, 2021 Magistrate Judge Stewart D. Aaron found all defendants in this case to be in default. (Dkt. No. 270.) Judge Aaron issued an Order granting Plaintiff's motion for default judgment with respect to the following "Appearing Defendants" who appeared in this action and consented to his jurisdiction: 0113 Food Corp., Giovanni Marte, Jose Marte, and Gustavo Marte. However, Judge Aaron issued a Report and Recommendation (the "Report") that this Court grant Plaintiff's motion for default judgment against the following "Non-Appearing Defendants" who never appeared in this action: 184 Food Corp., 231 Food Corp., DG 231 Food Corp., 640 Pelham Food Corp., G&G Pelham. Food Corp., Rafael Montes Deoca, Rafael Montes Deoca Jr., and Gregory Gonzalez.

Judge Aaron conducted a thorough and careful inquest, and the Report recommends that this Court award damages against the Non-Appearing Defendants as specified in the Report. (Dkt. No. 270.) The Court has reviewed the Report.

No party filed a timely objection to the Report; therefore, the Court reviews it for clear error. *See* Fed. R. Civ. P. 72(b), Advisory Committee's Notes (1983) ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."); *see also Borcsok v. Early*, 299 F. App'x 76, 77

(2d Cir. 2008). Magistrate Judge Aaron's well-reasoned Report presents no such errors and is therefore fully adopted by this Court.

Accordingly, damages are awarded against the Non-Appearing Defendants as calculated in the Report.

SO ORDERED.

Dated: August 9, 2021
New York, New York



J. PAUL OETKEN
United States District Judge